



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES December 19, 2018

Call to Order **7:00 PM**
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present	Absent	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supervisor J. Conway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor T. Tierney
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor H. Kennedy
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor R. Matters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilor G. Warner

Communications/Announcements/Reports

All of the Councilors and the Town Supervisor thanked Councilor Warner for his hard work and calm demeanor on the Town Board this year.

Councilor Warner thanked the Town Board and the residents of East Greenbush, and explained what a pleasure it was working with everyone.

Open Public Privilege: NOTE – Each speaker may choose to state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

Resolutions and Proposals by Town Board Members:

235-2018 A Resolution to Approve Meeting Minutes

WHEREAS, the minutes of Town Board meetings, as provided in §106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

WHEREAS, that the minutes of the regular Town Board Meeting held on November 28, 2018 have been presented; and

WHEREAS, the Town Board has reviewed these minutes and any necessary corrections have been made;

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on November 28, 2018 are hereby approved as submitted.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

236-2018 A Resolution to Schedule the 2019 Organizational Meeting

WHEREAS, the Town Board of the Town of East Greenbush is required to schedule an Organizational Meeting for 2019; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush shall conduct the 2019 Organizational Meeting at 6:00 PM on Wednesday, January 2, 2019 at the East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush, County of Rensselaer and State of New York;

and be it further

RESOLVED, that the Town Clerk of the Town of East Greenbush is hereby authorized and directed to give notice of such Organizational Meeting.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED:	YES
Councilor T. Tierney	VOTED:	YES
Councilor H. Kennedy	VOTED:	YES
Councilor R. Matters	VOTED:	YES
Councilor G. Warner	VOTED:	YES

237-2018 A Resolution Appointing Thomas M. Hickey to the Zoning Board of Appeals

WHEREAS, William Hessney resigned his seat on the Zoning Board of Appeals to accept a position as Attorney to the Zoning Board of Appeals, leaving a term that still has four years remaining; and

WHEREAS, Thomas Hickey submitted an application for appointment to the ZBA which included a resume and letter of interest; and

WHEREAS, the members of the Town Board interviewed Mr. Hickey and two other candidates and found him to be the most qualified candidate for a seat on the Town's Zoning Board of Appeals; and

WHEREAS, the Town Comptroller confirms that this position was included in the 2019 Budget;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush appoints Thomas M. Hickey to the Zoning Board of Appeals to complete the term of William Hessney, which makes this appointment effective from December 17, 2018 – December 31, 2022.

This resolution was duly moved by Councilor Tierney and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

238-2018 A Resolution to Authorize a Public Auction of Surplus Equipment

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York has received a request from the Commissioner of Public Works to declare the following equipment as surplus; and

WHEREAS, said equipment consists of the following:

One 2007 Chevrolet 1500 Pickup Truck, VIN Number: 3GCEC14V47G153561

One 1991 Ford F800 Single Axle Dump Truck, VIN Number: 1FDXK84A1MVA03133;

and

WHEREAS, said equipment is not suited for any other Town department; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town’s finances;

now therefore, be it

RESOLVED that said equipment listed is hereby declared as surplus;

and be it further

RESOLVED that the Commissioner of Public Works is authorized to conduct a public auction, sale or lawfully dispose of said surplus equipment now owned by and in the custody of the East Greenbush Public Works Department.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Councilor R. Matters	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor G. Warner	VOTED: YES

239-2018 A Resolution Authorizing the Use of GEIS Funds for Design and Development of Bid Specifications for Upgrades to the Corliss Pump Station

WHEREAS, the Corliss Pump Station is critical to the operation of the Town of East Greenbush Sewer System as approximately 60% of the Towns’ sewage is conveyed through this pump station; and

WHEREAS, the Town Board previously authorized the solicitation of bids for specific upgrades to the Corliss Pump Station using GEIS Fees; and

WHEREAS, the Deputy Commissioner of Public Works has researched the cost of preparing the specifications and bid documents for this upgrade with H.V. LaBarba, the Town Designated Engineer for this project, and estimated the cost to be approximately \$7,500.00; and

WHEREAS, the Deputy Commissioner of Public Works has presented this information to the GEIS Committee who voted to recommend approval of GEIS funds for use on the preparation of the specifications and bid documents to the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the provisions of this proposed Board action will have an approximate \$7,500.00 impact on the Town's finances by consuming GEIS funds;

now, therefore, be it

RESOLVED, that the Town Board authorizes the use of GEIS funds for design and development of bid specifications for upgrades to the Corliss Pump Station as recommended by the GEIS Committee.

The foregoing resolution was duly moved by Councilor Tierney and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

240-2018 A Resolution Authorizing the Director of Finance to Solicit Bids for Lighting, Road Repairs, Playground Equipment and Paving of the Parking Lot at the Town Park.

WHEREAS, the aging and neglected Town Park playground equipment and roads have become a safety concern; and

WHEREAS, the Town Board places the safety of its park patrons as a high priority, and

WHEREAS, the Town Board has determined the need for safety improvements to the Town Park that include; purchase and construction of new playground equipment, lighting, road repairs and pavement of the parking lot; and

WHEREAS, each bid solicitation will be a separate and individual bid to include specifications related to each project; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Finance to solicit bids for the following:

- Pavement of the Town Park Parking Lot (at the Red Barn);
- Road Repairs to Town Park Road;
- Lighting for the Town Park Parking Lot;
- Purchase, Construction, and Surface Material of New Playground Equipment at the Town Park.

and be it further

RESOLVED, that no bids will be awarded on any of these projects until GEIS funds are available and the GEIS Committee and Town Board approve any expenditures.

The foregoing resolution was duly moved by Councilor Kennedy and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor H. Kennedy	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES

241-2018 A Resolution to Adopt the Town’s 2018 Stormwater Management Program (SWMP) Plan Update

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption of a stormwater management program (SWMP) plan; and

WHEREAS, the Town has updated the SWMP Plan in accordance with State and federal requirements and as stipulated by the US Environmental Protection Agency (EPA) in its information request and administrative compliance order dated June 5, 2018 (“June 5, 2018 Order); and

WHEREAS, the EPA approved the 2018 SWMP Plan Update on November 2, 2018, in partial fulfilment of the requirements of the June 5, 2018 Order; and

WHEREAS, the Town Board held a Public Hearing on December 12, 2018 at 5:45 PM during which public comments on the 2018 SWMP Plan Update were accepted; and

WHEREAS, the Town Comptroller confirms that this resolution will need to be budgeted for the Town’s finances to implement this plan; and

WHEREAS, a copy of the updated SWMP Plan will be on file for review at the Town Clerk's Office and the East Greenbush web site;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush adopts the 2018 Stormwater Management Program (SWMP) Plan Update to fulfill certain requirements of the Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003;

and be it further

RESOLVED, that the MS4 Coordinator shall prepare written responses to address comments received and include the responses as an appendix to the 2018 SWMP Plan Update.

The foregoing resolution was duly moved by Councilor Warner and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Councilor G. Warner	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES

242-2018 A Resolution for the Town Board to Assume Lead Agency Status for the Regeneron Parking Garage Addition (PZD ID 15-07c) Major Site Plan

WHEREAS, Hart Engineering on behalf of Regeneron Pharmaceuticals, LLC., has submitted a site plan review application for a project located on at 25 Discovery Drive and identified on the Town’s Tax Roll as Tax Parcel No. 155.-1-4.22; and

WHEREAS, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of this Type 1 Action; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town’s finances; and

WHEREAS, the Director of Planning and Zoning has initiated coordinated review and distributed a lead agency coordination letter to all of the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQR review of the Project; now, therefore, be it

RESOLVED, that the Project require review under the State Environmental Quality Review Act (“SEQRA”) as a Type 1 Action; and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordination SEQRA review of the Project.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Matters and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor G. Warner	VOTED: YES

243-2018 A Resolution for the Town Board to Assume Lead Agency Status for ADG Properties, Inc. East Greenbush Riverfront Industrial Park Major Site Plan (PZD ID 18-28)

WHEREAS, Ingalls & Associates & Carver Realty, LLC on behalf of ADG Properties Inc. (formerly Riverside Avenue Corporation) has submitted a site plan review application for a project located at 289 American Oil Road and identified on the Town’s Tax Roll as Tax Parcel No.165.-1-33.1; and

WHEREAS, the application was accompanied by a proposed site plan, a Full Environmental Assessment Form and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with the coordinated SEQR review of this Type 1 Action; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town’s finances; now, therefore, be it

RESOLVED, that the Project, a Type 1, will require review under the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordinated SEQRA review of the Project; and be it further

RESOLVED, that the Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQRA review of the Project.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: RECUSED
Councilor G. Warner	VOTED: YES

244-2018 A Resolution for the Town Board to Assume Lead Agency Status for the SHS Holdings, LLC – George Shannon Pinecrest Commercial Park Major Site Plan (PZD ID 18-29)

WHEREAS, Hart Engineering on behalf of SHS Holdings, LLC – George Shannon, has submitted a site plan review application for a project located at 1 Springhurst Drive and identified on the Town’s Tax Roll as Tax Parcel No.177.08-4-11.121; and

WHEREAS, the application was accompanied by a proposed site plan, a Short Environmental Assessment Form, and other submittals; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with coordinated review of this Unlisted Action under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Project will review under the SEQRA as an Unlisted Action; and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordinated SEQRA review of the Project; and be it further

RESOLVED, that the Town Board directs that a lead agency coordination letter be sent to all the involved agencies requesting their consent to designation of the Town Board as lead agency for SEQRA review of the Project.

The foregoing resolution was duly moved by Councilor Warner and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Councilor G. Warner	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES

245-2018 A Resolution To Adopt Local Law 5 of 2018 Repealing Local Law Number 1 of 2010 and Replacing it With New Provisions Relating to Mitigation Fees in

the Western East Greenbush Generic Environmental Impact Statement (GEIS) Study Area

WHEREAS, Local Law No. 1 of 2010 of the Town of East Greenbush sets forth certain requirements relating to assessment and collection of land development mitigation fees in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS); and

WHEREAS, the Town Board of the Town of East Greenbush desires to enact a local law repealing Local Law Number 1 of 2010, in relation to mitigation fees in the Western East Greenbush Generic Environmental Impact Statement (GEIS) Study Area and replacing it with new provisions; and

WHEREAS, the Town Board, as lead agency, has reviewed and fully considered the proposed action and has determined that the action is a Type II Action under the State Environmental Quality Review Action (“SEQRA”) requiring no further SEQR review of the project; and

WHEREAS, the Town Board held a public hearing to accept public comment on a local law to update the GEIS local law, at a meeting to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144, on December 12, 2018 at 6:00 pm; and

WHEREAS, the Town Comptroller confirms that this resolution may have a material impact on the Town’s finances;
now, therefore, be it

RESOLVED, that the adoption of Local Law No. 5 of the Year 2018 is a Type II Action under SEQRA;
and be it further

RESOLVED, that Local Law No. 5 of the Year 2018, repealing Local Law No. 1 of 2010 and replacing it with certain provisions is hereby approved. The Town Clerk shall be directed to file the Local Law with the New York Secretary of State.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

246-2018 A Resolution to Schedule a Public Hearing to Accept Public Comment on a Proposed Local Law Amending Comprehensive Zoning Law (Local Law No. 5 of 2008) to Repeal the General Business Mixed Use District (B-1) Two Story Height Requirement, Declaring Intent to Seek Lead Agency and Classifying the Action as an Unlisted Action Under SEQRA

WHEREAS, the Comprehensive Zoning Law (Local Law No. 1 of 2008 and successive amendments thereto) of the Town of East Greenbush divided into zoning districts, and all land and buildings are regulated as to use, occupancy, location, construction and alteration for the purpose of protecting and promoting public health, safety, morals, comfort, convenience, economy, urban aesthetics, and the general welfare, and for additional purposes as outlined in Section 1.1.1; and

WHEREAS, the Comprehensive Zoning Law establishes a zoning district known as the General Business Mixed Use District (B-1) and sets forth a two-story height requirement for the B-1 district; and

WHEREAS, the Town Board of the Town of East Greenbush wishes to amend the Comprehensive Zoning Law to repeal the two-story height requirement in the B-1 zone; and

WHEREAS, the Director of Planning and Zoning has distributed copies of the proposed amendment to the Town Clerk and Planning Board, as required by Section 4.1 of the Comprehensive Zoning Law; and

WHEREAS, the Town Board wishes to assume lead agency status in connection with SEQR review of this Unlisted Action; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;
now, therefore, be it

~~**RESOLVED**, that the Town Board shall accept public comment on a local law to update the Comprehensive Zoning Law, at a public hearing to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144, on January 9, 2019 at 5:45 pm;~~

and be it further

RESOLVED, that the proposed action will require review under the State Environmental Quality Review Act ("SEQRA");

and be it further

RESOLVED, that the Town Board wishes to assume lead agency status in connection with coordinated SEQR review of the Project which is an unlisted action;

and be it further

RESOLVED, that the Town Board hereby directs Town Staff to commence the SEQRA lead agency coordination as required by SEQRA; to refer the proposed Zoning Amendment to County Planning; and to duly publish and provide the appropriate notice of the public hearing to surrounding municipalities and to the County.

Councilor Tierney made the motion to amend the above recital to now read:

RESOLVED, that the Town Board shall accept public comment on a local law to update the Comprehensive Zoning Law, at a public hearing to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144, on January 16, 2019 at 6:30 pm;

The foregoing motion to amend the resolution was duly moved by Councilor Tierney and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

The foregoing amended resolution was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

247-2018 A Resolution Advising the Rensselaer County Board of Chosen Freeholders of Municipal Participation in the First Update of the Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan

WHEREAS, the current Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan approved by the Federal Emergency Management Agency (FEMA) includes the Town of East Greenbush, through which the municipality is eligible for potential pre- and post-hazard mitigation planning and mitigation funding; and

WHEREAS, in order to continue to reduce hazard risks, strengthen community resiliency, and remain eligible for potential FEMA mitigation project funding, the Town of East Greenbush hereby commits to participating in the development of the first update of the Rensselaer County Hazard Mitigation Plan; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now, therefore, be it

RESOLVED, on this 19th day of December, 2018, by the governing body of the Town of East Greenbush that:

1. Town of East Greenbush agrees to participate in the update of the Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan.
2. The following two municipal representatives are hereby authorized to serve on the Rensselaer County Multi-Jurisdictional Hazard Mitigation Planning (HMP) Core Planning Group; actively participate as requested throughout the process, and lead a municipal Jurisdictional Assessment Team tasked with carrying out local participation requirements:
Representative: Scott F. Gallerie, Commissioner of Public Works and Alternate Adam Yagelski, Director of Planning
3. At the end of the project, when FEMA deems the updated plan approvable, the Town of East Greenbush will, as required, pass a resolution formally adopting the final updated Rensselaer County Multi-Jurisdictional Hazard Mitigation Plan. This resolution will be provided immediately to the Rensselaer County Bureau of Public Safety for submittal to FEMA, who requires the resolution on file.

and be it further

RESOLVED that a signed copy of this Resolution will be provided to both the Rensselaer County Board of Chosen Freeholders and the Rensselaer County Bureau of Public Safety.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

248-2018 A Resolution to Set the Transfer Station Rates for 2019

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 12, 2018 and was subsequently presented to the Town Board on December 14, 2018; and

WHEREAS, it is required to establish policies and rates for the use of the East Greenbush Transfer Station; and

WHEREAS, the Commissioner of Public Works has received a letter from the City of Albany's Department of General Services which informs the Town that the disposal fee has been increased from \$52 per ton to \$66 per ton effective January 1, 2019; and

WHEREAS, after comparing punch card options with other local transfer stations, a 25-punch card has been added to the existing rate structure for residents who may not use the Transfer Station frequently; and

WHEREAS, the Town's rate structure must be adjusted to ensure that the City of Albany fee increase and other increased costs are absorbed by residents (and non-residents) who use the Transfer Station; and

WHEREAS, the annual cost of a Transfer Station permit and punch card is still a significant savings over other garbage pickup options; and

WHEREAS, the Town Comptroller confirms that this resolution will have a positive material impact on the Town's finances to offset increased City of Albany fees;

now, therefore, be it

RESOLVED, that the attached policies and rates be effective for the year 2019.

The foregoing resolution was duly moved by Councilor Tierney seconded by Councilor Kennedy and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

249-2018 A Resolution to Set the Commercial Refuse Collection Service Permit fees for 2019

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 12, 2018 and was subsequently presented to the Town Board on December 14, 2018; and

WHEREAS, The Town of East Greenbush commercial refuse collection service companies must obtain a permit to collect within the Town (East Greenbush Town Code §30-9); and

WHEREAS, the permit currently includes a permit fee of \$1,250.00 per permit for the company and an additional \$250.00 fee for each truck registered to collect refuse in the Town of East Greenbush. These rates have not been adjusted within the last ten years; and

WHEREAS, for 2019, the permit fee will be raised to \$1,500.00 for a permit for a company and \$400.00 for each truck that is to collect refuse in the Town of East Greenbush regularly; and

WHEREAS, upon submitting payment for 2019, each company should submit a valid Certificate of Insurance and copies of vehicle registrations for trucks that will be servicing the Town of East Greenbush; and

WHEREAS, each updated permit letter to the companies will include citations from the East Greenbush Town Code that site hours of operation 7:00 am to 7:00 pm daily (§30-9.1) and penalties for violations of hours (§30-11.1) which will serve to address a number of complaints that have been received from residents of the Town; and

WHEREAS, the Town Comptroller confirms that this resolution will have no material impact on the Town’s finances;
now, therefore, be it

RESOLVED, that the East Greenbush Town Board does hereby approve the 2019 Permit Fees for Commercial Refuse Collection Service Companies that service the Town of East Greenbush and the trucks that are used by them.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

250-2018 A Resolution to Approve a Confidential Agreement with a Certain Town Employee

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 12, 2018 and was subsequently presented to the Town Board on December 14, 2018; and

WHEREAS, a certain Town employee was brought up on disciplinary charges; and

WHEREAS, said employee and their attorney agreed to disciplinary measures that were satisfactory to the Town Supervisor and the Attorney to the Town for labor issues; and

WHEREAS, an agreement was signed by the Town Supervisor but it is contingent upon approval from the Town Board; and

WHEREAS, Town Board members have been provided with copies of the agreement;
and

WHEREAS, the Town Comptroller confirms that this resolution may have a material impact on the Town’s finances;
now, therefore, be it

RESOLVED, that the Town Board approves the confidential agreement signed by the Supervisor thus giving it the effect of being executed.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

251-2018 A Resolution Acknowledging and Honoring Kathleen D. Luria for Her Service on the Board of Ethics

WHEREAS, this resolution was not able to be submitted in time to be considered at the

regularly scheduled pre-board meeting of December 12, 2018 and was subsequently presented to the Town Board on December 17, 2018; and

WHEREAS, the East Greenbush board of ethics was created and constituted pursuant to the town code of ethics for the purpose of functioning as a reviewing and recommending body to the town board relative to: (1) the adherence of minimum standards of conduct for officials and employees of the town to ensure that the business of town government is free from improper influence that may result from opportunities for private gain, (2) the public disclosure of financial interests and other actions that may influence or be perceived to influence the proper operations of town government, and (3) to facilitate consideration of potential problems before they arise, to minimize unwarranted suspicion, and to enhance the accountability of the town government to residents and, toward such ends, is charged with: (a) rendering advisory opinions to town officers and employees at their request, (b) receiving and investigating complaints of alleged ethical malfeasance by such town officers and employees in accordance with such town code of ethics and recommending action, if any, to the town board, and (c) recommending to the town board amendments to such town code of ethics; and

WHEREAS, all members of the board of ethics serve without compensation and at the pleasure of the town board; and

WHEREAS, Kathleen D. Luria was duly appointed to the board of ethics by the town board at its regular meeting held on March 19, 2014; and

WHEREAS, Ms. Luria has served over and above her capacity as a member of the board of ethics by serving as its chairperson since 2015 through the completion of her term scheduled to conclude on December 31, 2018; and

now, therefore, be it

RESOLVED, that the East Greenbush town board, with sincere appreciation and an abundance of gratitude, hereby acknowledges and honors Kathleen D. Luria for exemplifying the highest standards of performance during her continued and dedicated service to her fellow ethics board members, the members of the town board, and the residents of the town of East Greenbush throughout her term of appointment.

The foregoing resolution was duly moved by Councilor Warner seconded by Councilor Matters and brought to a vote resulted as follows:

Councilor G. Warner	VOTED: YES
Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

252-2018 A Resolution to Settle a Tax Certiorari Case With Greenbush Associates LLC

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 12, 2018 and was subsequently presented to the Town Board on December 18, 2018; and

WHEREAS, Greenbush Associates LLC and the Town of East Greenbush are desirous of having certain assessment issues resolved as to properties owned by Greenbush Associates LLC in the Town of East Greenbush, and

WHEREAS, a settlement proposal resolving tax certiorari litigation was recommended

by the Vincelette Law Firm, special counsel to the Town of East Greenbush, and reviewed by the East Greenbush Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; and

WHEREAS, the Town Comptroller has confirmed confirms that the assessment reductions will have a material negative on the Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2017 and 2018 tax certiorari proceedings filed by Greenbush Associates LLC in which the 2017 and 2018 assessed values of the subject properties shall be reduced as follows:

Tax Map No.	Address	2017 Assessment	Revised Assessment
155.-6-1.221	4 Tech Valley Drive	\$583,000	\$135,240
155.-6-1.223	9 Tech Valley Drive	\$718,800	\$217,350
155.-6-1.227	20 Tech Valley Drive	\$573,900	\$154,560
155.-6-1.225	21 Tech Valley Drive	\$1,307,700	\$772,800

Tax Map No.	Address	2018 Assessment	Revised Assessment
155.-6-1.221	4 Tech Valley Drive	\$583,000	\$140,000
155.-6-1.223	9 Tech Valley Drive	\$718,800	\$225,000
155.-6-1.227	20 Tech Valley Drive	\$573,900	\$160,000
155.-6-1.225	21 Tech Valley Drive	\$1,307,700	\$800,000

Real Property Tax Law §727 shall apply, and the assessment shall remain unchanged for the 2019, 2020 and 2021 assessment rolls;

and be it further

RESOLVED that Greenbush Associates LLC shall be entitled to a refund of excess taxes, waiving statutory interest, paid based upon the above revision;

and be it further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Greenbush Associates LLC and the Town of East Greenbush as to the above referenced assessment.

The foregoing resolution was duly moved by Councilor Matters and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor R. Matters VOTED: YES

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor G. Warner	VOTED: YES

253-2018 A Resolution to Establish the Position of Special Patrol Officer of the East Greenbush Police Department (Tabled Resolution 166-2018)

WHEREAS, this resolution was not able to be submitted in time to be considered at the regularly scheduled pre-board meeting of December 12, 2018 and was subsequently presented to the Town Board on December 18, 2018; and

WHEREAS, an earlier version of this resolution (166-2018) was tabled on August 15, 2018 so the Town Board could receive more information, which has now been provided; and

WHEREAS, the Town and the East Greenbush Central School District (District) have enjoyed a long-standing and successful agreement to jointly share the cost of providing a town police officer to serve as a full-time School Resource Officer; and

WHEREAS, in the interest of public safety the District has now requested additional officers to be assigned to serve as school based officers, as authorized under § 209-v of the General Municipal Law, and, has offered an Agreement to share a substantial portion of the cost of such additional officers; and

WHEREAS, General Municipal Law § 209-v entitled "Employment of retired persons as special patrolmen for publicly owned property", would authorize the appointment of special peace officers of the Town to fulfill the duties of school officers; and

WHEREAS, the Town and the District have further Agreed to job descriptions and terms and conditions of employment for said special school officers; and

WHEREAS, the Town Comptroller confirms that this resolution will likely have a negative material impact on the Town's finances; now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush does authorize the Town Supervisor to enter into said School District Agreement, subject to the review of the Town Attorney for proper form and format;

and be it further

RESOLVED, that the position of Special Patrol Officer, as described above and defined in the attached job description be, and hereby is created,

and be it further

RESOLVED, that this resolution shall take effect immediately.

Supervisor Conway made the motion to table the above resolution was seconded by Councilor Warner and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor G. Warner	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

The foregoing tabled resolution was duly moved by Councilor Warner and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES

Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

ADJOURNMENT

Motion to adjourn by Supervisor Conway seconded by Councilor Warner and brought to a vote as follows:

Supervisor J. Conway	VOTED: YES
Councilor G. Warner	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES



EAST GREENBUSH TRANSFER STATION
246 Ridge Road, Rensselaer, NY 12144
(518) 477-7012
2019 Information

Resident- Annual Permit	Senior – Annual Permit	Non-Resident – Annual Permit	Commercial Brush Permit
\$100.00	\$50.00	\$125.00	\$600.00
Proof of East Greenbush Residency Required		Proof of Residency Required	Annual Permit for Commercial Landscaping Companies

Anyone electing to use the Transfer Station must have a Permit. Each Permit holder will be issued a sticker; the sticker must be kept with the punch card at all times so it is clearly visible to the attendant.

Permits and Punch Cards may be purchased at:

Town Hall - Monday – Friday with CASH or CHECK.

Transfer Station - Tuesday – Saturday with CHECK only.

Resident – Punch Cards Proof of East Greenbush Residency Required

\$80.00 52 Punch Card

\$45.00 25 Punch Card

Non-Resident – Punch Cards Proof of Residency Required

\$90.00 52 Punch Card

In addition to a permit, a punch card **must** be purchased to avoid a fee each time the facility is used. The punch card will be “punched” by the attendant depending on the quantity of refuse brought to the Transfer Station. The number of “punches” is determined at the discretion of the attendant. Each punch card allows for the disposal of fifty – two (52) or forty (40) bags. Each bag must be 40-gallons or less. You **MUST** bring your punch card with you.

All transactions at the Transfer Station can be paid by check only.

Residents may purchase as many punch cards as necessary. Remaining “punches” at the end of the year are rolled over to the following calendar year. *NO REFUNDS will be granted to anyone who purchases a permit regardless of the time of year or circumstances surrounding such refund request*

COSTS FOR ADDITIONAL ITEMS: Payment may be made by Additional Punches or by Check ONLY

Passenger Vehicle Tires	\$10.00	5 Punches	Rugs/Carpets (up to 12 x 10)	\$12.00	6 Punches
Pool Liners/Covers	\$10.00	5 Punches	Sinks/Toilets	\$10.00	5 Punches
Chair	\$6.00	3 Punches	Wood Furniture	\$12.00	6 Punches
Couch	\$12.00	6 Punches	All METAL Household Appliances		FREE

Mattress/Box Spring	\$10.00	5 PUNCHES	Any Appliances with refrigerant	\$16.00	8 PUNCHES
Televisions	\$12.00	6 PUNCHES	All Metal	FREE	
Commercial Tires – Not Accepted					

Household construction/demolition debris will be charged \$12.00 per 40-gallon container. All debris must fit into a barrel and cannot contain any of the Prohibited Items listed below:

With a permit, the following items are accepted at no additional charge:

Tree limbs (less than four inches in diameter)

Newspaper/Magazines/Cardboard

Tin Cans

Household Batteries

Glass Bottles/Jars

Plastic Containers

All Residents can bring bagged brush/leaves/grass clippings (in brown, recyclable bags) **at no charge**

Prohibited Items:

Commercial Construction/Demolition Debris

Motor Oil

Paint

Flammable Liquids

Radioactive Waste

Hazardous Waste

Roof Shingles

Tree Stumps

Infectious Items

Propane Tanks

In addition, other items may be deemed dangerous or otherwise not acceptable by the facility attendant.

OPERATING HOURS FOR THE TRANSFER STATION ARE:

Monday	CLOSED
Tuesday, Wednesday, Friday	8:30 AM - 4:55 PM
Thursday	8:30 AM - 6:55 PM
Saturday	8:00 AM - 4:00 PM
Sunday	CLOSED

CLOSED ON THE FOLLOWING HOLIDAYS:

New Year's Day	Tuesday, January 1, 2019
Independence Day	Thursday, July 4, 2019
Election Day	Tuesday, November 5, 2019
Thanksgiving Day	Thursday, November 28, 2019

Day After Thanksgiving

Friday, November 29, 2019

Christmas Day

Wednesday, December 25, 2019

SPRING/FALL CLEANUP DATES AND THE 2019 AMNESTY WEEK

POSTED ON THE TOWN WEBSITE AND IN THE ADVERTISER ONCE THE DATES HAVE BEEN DETERMINED

Please remember the following when bringing items to the Transfer Station:

Household items must be bagged

Due to Albany Landfill restrictions, there are NO overloads allowed on Friday or Saturday.

Please do not leave trash when the Transfer Station is CLOSED

Absolutely no commercially owned landscaping businesses allowed to use facilities without a permit

No scavenging or "picking" will be allowed on the Transfer Station premises.

**Violation of Transfer Station policies will result in the permit holder
being subject to penalties under Town Law.**